



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill #	HB0355	Title:	Require background checks for commercial drivers transporting passengers
Primary Sponsor:	Lambert, Carol	Status:	As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
General Fund	\$750	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u><u>(\$750)</u></u>	<u><u>\$0</u></u>	<u><u>\$0</u></u>	<u><u>\$0</u></u>

Description of Fiscal Impact:

This bill will require a criminal background check paid for by the applicant.

FISCAL ANALYSIS

Assumptions:

1. The bill requires criminal background checks for commercial driver licenses with passenger or bus endorsements.
2. The criminal background checks would be run through the Department of Justice, Information and Technology Services Division and/or local law enforcement.
3. Assuming the criminal background check is a fingerprint based check; it is assumed the fee (approximately \$35) would be paid by the applicant to the agency performing the criminal background check.
4. Operating costs for the Department of Justice Motor Vehicle Division would increase \$750 in FY 2008 for rulemaking as provided for in Section 1 of HB 355.

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Operating Expenses	\$750	\$0	\$0	\$0
<u>Funding of Expenditures:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$750)	\$0	\$0	\$0

Effect on County or Other Local Revenues or Expenditures:

1. Some local law enforcement agencies may see an increase in fees collected for processing the criminal background checks required by HB 355.

Technical Notes:

1. HB 355 does not provide standards for an acceptable criminal background check; therefore, it is unclear whether the Department of Justice would establish by policy or rulemaking authority the standards for an acceptable criminal background check or what would not be an acceptable result in the background reports for commercial driver licenses issued with a passenger endorsement.
2. The Department of Justice does not have rulemaking authority for Title 69 (69-11-201, MCA) which is applicable for other carriers not requiring a commercial driver's license (i.e., taxis, limos, etc.).

*Sponsor's Initials*_____
*Date*_____
*Budget Director's Initials*_____
Date